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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/407,738	09/28/1999	OLIVIER FONCARNIER	FR9-98-059	3148

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EXAMINER	
JAROENCHONWANIT, BUNJOB	
ART UNIT	**PAPER NUMBER**
2143	6

DATE MAILED: 09/17/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

PR4

Office Action Summary	Application No.	Applicant(s)	
	09/407,738	FONCARNIER, OLIVIER	
	Examiner	Art Unit	
	Bunjob Jaroenchonwanit	2143	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *28 September 1999* .

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-21* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-21* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on *28 September 1999* is/are: a)☒ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

11)☐ The proposed drawing correction filed on _____ is: a)☐ approved b)☐ disapproved by the Examiner.

If approved, corrected drawings are required in reply to this Office action.

12)☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

13)☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☒ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____ .

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

14)☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).

a) ☐ The translation of the foreign language provisional application has been received.

15)☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) *4* .
4) ☐ Interview Summary (PTO-413) Paper No(s). _____ .
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: .

DETAILED ACTION

1. This application has been reviewed. Claims 1-21 are presented for examination, the objections and rejections cited are as stated below.

Claim Rejections - 35 USC § 103

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

3. Claims 1, 8 and 15 are rejected under 35 U.S.C. 103(a) as being unpatentable over Stupek, Jr. et al. (US 6,131,118).

4. As to claims 1, 8 and 15, Stupek a flexible display of management data in programmable event driven processing system, the system comprises a sever for detecting and receiving an event from network devices and transmits the event notification to the user based on the event defined in database, the system comprising

profiling in a profile table each one of said plurality of users (Stupek teaches, a network management server, which included a database that containing user preferences, enabled the user to specify specific event monitoring, Col. 5, lines 46-67, database and user preference is considered equivalent to profile table);

transmitting said alarm message to the list of users wherein said users have been selected from said profile table, said alarm message being displayed on a screen of a workstation associated with each selected user if said workstation is on (Stupek teaches, the management

server enabled the user to select and view various information including the selected events, Col. 6, lines 7-15. Inherently, Stupek also teaches transmitting the alarm or event messages from the management server to user terminal).

Stupek does not explicitly disclose an administrator is associated with the server.

Official Notice is taken (see MPEP 2144.03) that administrator processed alarm was well known in the network management system.

Thus, it would have been obvious to one of ordinary skill in the art at the time of the invention was made to associated network administrator with Stupek network management server to process alarm of event notification event. Doing so, the management capabilities, flexibility would be enhanced, because the system can be intervened by a human, which would allow the system to be configured to accommodate with most if not all situations.

5. Claims 2, 9 and 16 are rejected under 35 U.S.C. 103(a) as being unpatentable over Stupek, as applied to claims 1, 8 and 15 above, and further in view of Drala software.

6. As to claims 2, 9 and 16, Stupek discloses the invention substantially, as claimed, as described, above, including using JAVA programming language for supporting platform independent (Col. 4,lines 58-67;Col. 6, lines 1-6). Although, Stupek does not disclose the JAVA programming is being used for as alarm program, but using JAVA as alarm program (JAVA Alarm) is not a novel notion in the art. Drala teaches an Event Notification software using JAVA programming for transmitting alarm messages or event notification via a network (Abstract, Collaborations, pages 5; JAVA event notification remote notification in network

management system [Motivation section pg. 2], distributed alarm from distinct machine [Distributed Event Notification, pg. 10]).

Thus, it would have been obvious to one of ordinary skill in the art at the time of the invention was made that to incorporate Drala with Stupek to simplify event notification as suggested in Drala Motivation (Motivation section pg. 2).

7. Claims 3-4, 7, 10-11, 14, 17-18 and 21 are rejected under 35 U.S.C. 103(a) as being unpatentable over Stupek-Drala, as applied to claims 2, 9, 15 and 16.

8. As to claims 3, 10 and 17, Stupek-Drala discloses the invention substantially, as claimed, as described, above, but fails to disclose messages are written and manually sent.

Official Notice is taken (see MPEP 2144.03) written message and manual sent the message were well known in the art, for instance in a convention e-mail system, a user can compose a short message and manually sent.

Thus, it would have been obvious to one of ordinary skill in the art at the time of the invention was made to include the well known message composing and sending manually in a convention e-mail communication system with Stupek-Drala teaching. In doing so, Stupek-Drala system's utility and flexibility would be enhanced and the message communication would be more reliable.

9. As to claims 4, 11 and 18, Stupek-Drala discloses the invention substantially as claim, above, including automatically sending event notification when the event occurred. Stupek-Drala fails to express the sent messages is a previously written message.

Official Notice is taken (see MPEP 2144.03) sending previously written message was well-known in the art, for instance a conventional e-mail system allowed the e-mail user to compose message, such as auto reply messages and automatic send the message in response to event occurrences, e.g., in response an incoming mail.

Thus, it would have been obvious to one of ordinary skill in the art at the time of the invention was made to incorporate the concept of sending auto reply with a pre-written message, as suggested in a conventional e-mail teaching with Stupek-Drala. In doing so, system's efficiency would be improved because the elimination of repetitive tasks from the users or the administrators.

10. As to claim 7, 14 and 21, Stupek-Drala discloses the invention substantially as claim, above, including, generating and transmitting event notifications, e.g., alarm, using JAVA programming in SNMP environment. Stupek-Drala teaching is clearly applicable for functioning as standalone alarm, and it can detect any network event including server fault or out of work event. Even thought, it does specifically discoursed such that. It would have been obvious to one ordinary skill in the art that implementing Stupek-Drala teaching in a standalone or non-standalone for detecting any of server condition would have been a matter of application implementation choice.

11. Claims 5, 12 and 19 are rejected under 35 U.S.C. 103(a) as being unpatentable over Stupek-Drala, as applied to claims 4, 11 and 18 above.

12. As to claims 5, 12 and 19, Stupek-Drala discloses said alarm messages are automatically sent when any specific resource monitored by a System Network Message Protocol (SNMP) via

a SNMP interface comes down or is unavailable (Stupek, including trapping and sending event by using SNMP, Col. 5, lines 5-67).

13. Claims 6, 13 and 20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Stupek-Drala, as applied to claims 4, 11 and 18 above, and further in view of Cote et al (US. 6,021,262).

14. As to claims 6, 13 and 20, Stupek-Drala discloses the invention substantially, as claimed, as described, but fails to express messages are automatically sent at the occurrence of an event scheduled.

Cote discloses a system and method for detection and notification in a messaging system, which included having administrator setting alarm of notification schedule (abstract; Col. 1, line 66-Col. 2, line15).

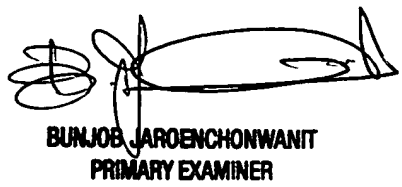
Thus, it would have been obvious to one of ordinary skill in the art at the time of the invention was made that to incorporate scheduling event notification feature a, as suggested by cote with Stupek-Drala's teaching to allow system administrator to schedule event notification, as necessary. Because allowing administrator controlling notification schedule, system's utilization could be altered, adjusted to suit with any situation, thereby increasing system utilities and flexibilities.

15. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Bunjob Jaroenchonwanit whose telephone number is (703) 305-9673. The examiner can normally be reached on 8:00-17:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David Wiley can be reached on (703) 308-5221. The fax phone numbers for the organization where this application or proceeding is assigned are (703) 746-7239 for regular communications and (703) 746-7238 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 305-3800.

/bj
September 11, 2003



BUNJOB JAROENCHONWANIT
PRIMARY EXAMINER